

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (Cincinnati)

MARTIN J. WALSH¹, Secretary of Labor,
U.S. Department of Labor,

Case No. 17-cv-272

Plaintiff,

Judge: Litkovitz (consent)

v.

MONROE TRADES, CORP., et. al.,

Defendants.

AGREED SETTLEMENT ORDER

Plaintiff, Martin J. Walsh, Secretary of Labor, United States Department of Labor, filed a complaint alleging that Defendants violated the provisions of sections 6, 7, 11, and 15 of the Fair Labor Standards Act of 1938, as Amended (29 U.S.C. § 201 et seq.) (hereinafter "the Act").

Defendants, having answered and denied the allegations in the complaint, admit to the jurisdiction of this Court over them and the subject matter of this action.

Now, therefore upon agreement of the attorneys for Plaintiff and Defendants, and for cause shown, it is hereby:

ORDERED AND JUDGMENT IS HEREBY ENTERED against Defendants pursuant to Sections 16(c) and 17 of the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. 201 *et seq.*, as follows:

¹ This action was commenced on April 24, 2017, in the name of Edward C. Hugler, at that time, the Acting Secretary of Labor. On March 23, 2021, Martin J. Walsh became the Secretary of Labor. Mr. Walsh is being automatically substituted as the Plaintiff, pursuant to Fed. R. Civ. P. 25(d), and the caption of this action is amended accordingly.

I

IT IS ACKNOWLEDGED, pursuant to Section 16(c) of the Act, that Defendants have paid to Plaintiff the total amount of \$4,800.00, half of which represents the unpaid overtime compensation, and half of which represents the liquidated damages hereby found to be due, for the period September 8, 2013 to September 7, 2015, to the former employees named in Exhibit A, attached hereto and made a part hereof, in the amounts set forth therein.

II

Plaintiff shall distribute the amounts referred to above, or the proceeds thereof, to the persons named in Exhibit A, in the amounts so indicated, less applicable deductions for the employees' share of FICA, Medicare and withholding taxes, (Defendants shall be responsible for the employer's share of FICA, Medicare and other applicable taxes and any other necessary payments to the appropriate federal and state revenue authorities for the employees listed on Exhibit A) or to their estates, if that be necessary, and any amounts of unpaid overtime compensation or liquidated damages not so distributed within a period of three (3) years from the date of receipt thereof shall, pursuant to section 16(c) of the Act, be covered into the Treasury of the United States as miscellaneous receipts.

III

IT IS FURTHER ORDERED that Defendants shall not request, solicit, suggest, or coerce, directly, or indirectly, any employee to return or to offer to return to Defendants or to someone else for Defendants, any money in the form of cash, check, or any other form, for wages previously due or to become due in the future to said employee under the provisions of this Judgment or the Act; nor shall Defendants accept, or receive from any employee, either directly or indirectly, any money in the form of cash, check, or any other form, for wages

heretofore or hereafter paid to said employee under the provisions of this Judgment or the Act; nor shall Defendants discharge or in any other manner discriminate, nor solicit or encourage anyone else to discriminate, against any such employee because such employee has received or retained money due to him from Defendants under the provisions of this Judgment or the Act.

IV

Defendants represent that they do not presently employ any employees. Defendants, though not admitting liability, agree that if in the future they employ any employees, they will comply with the provisions of Sections 6 (minimum wage), 7 (overtime), 11 (recordkeeping) of the Act and the applicable regulations.

V

The parties agree that the instant action is deemed to solely cover Defendants' business and operations between September 8, 2013 and September 7, 2015 for all claims raised in the Complaint as a result of the Secretary's investigation. By entering into this Judgment, Plaintiff does not waive his right to conduct future investigations of Defendants under the provisions of the FLSA and to take appropriate enforcement action with respect to any violations disclosed by such investigations.

VI

Each party shall bear his/their own fees and other expenses incurred by such party in connection with any stage of this proceeding to date with no costs and expenses, including, but not limited to, any and all costs and expenses referenced under the Equal Access to Justice Act, as Amended.

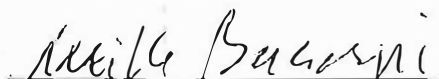
IT IS SO ORDERED.

Dated this 7 day of April, 2021.


KAREN L. LITKOVITZ
United States Magistrate Judge

For Defendants:

The undersigned represents he is the person named below and has the authority to sign this document on behalf of Defendants and consents to the entry of this Agreed Settlement Order.


MOHAMMED M. BASSINI
On behalf of Defendants

Dated: 04/04/2021



MICHAEL W. HAWKINS (12707)
Trial Attorney

Dated: 04-05-2021

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For Plaintiff, Secretary of Labor, U.S. Dept. of Labor:

MATTHEW SCHEFF Digitally signed by MATTHEW SCHEFF
Date: 2021.04.06 10:17:04 -04'00'

MATTHEW M. SCHEFF (0082229)
Trial Attorney

Dated: April 6, 2021

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CHRISTINE Z. HERI
Regional Solicitor

LEAH A. WILLIAMS
Associate Regional Solicitor

EXHIBIT A

<u>Employee</u>	<u>Back Wages</u>	<u>Liquidated Damages</u>	<u>Total</u>
Barrett, Jason	\$243.67	\$243.67	\$487.34
Cowdrey, Melissa	\$286.30	\$286.30	\$572.60
Raj, Dhilon	\$578.34	\$578.34	\$1,156.68
Evans, Angela	\$48.31	\$48.31	\$96.62
Ferris, Nathan	\$239.88	\$239.88	\$479.76
Parks, Jeremy	\$115.70	\$115.70	\$231.40
Sawab, Abderrahim	\$257.14	\$257.14	\$514.28
Stafford, Nathan	\$38.65	\$38.65	\$77.30
Storer, Olivia	\$43.24	\$43.24	\$86.48
Terrell, Samantha	\$215.64	\$215.64	\$431.28
Vansaw, Marc	\$100.77	\$100.77	\$201.54
Ward, Danielle	\$86.26	\$86.26	\$172.52
Young, Angela	\$146.10	\$146.10	\$292.20
Total:			\$4,800.00